

RESOLUTION OF THE TOWN BOARD
ADOPTING LOCAL LAW NO. 14- 2007

WHEREAS, a proposed local law entitled,

"A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATIONS FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilman John Maloney, at a Town Board meeting held on November 14, 2006, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on November 14, 2006 directed that a public hearing be held on January 23, 2007, at 8:00 p.m., or as soon thereafter as possible, relative to such proposed local law and, subsequently, the Town Board continued said public hearing on February 13, 2007, April 17, 2007, May 15, 2007, June 19, 2007 and July 24, 2007, and

WHEREAS, notices of said hearings were duly prepared and published in the Journal News for all three hearing dates, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilpersons at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on July 13, 2007, and

WHEREAS, on November 14, 2006, the Town Board declared itself lead agency pursuant to the State Environmental Quality Review Act ("SEQRA"), and directed Robert Geneslaw to act as its agent with respect to SEQRA review, and

*Adopted
7/24/07*

WHEREAS, the Local Law was referred to the Rockland County Department of Planning pursuant to GML §239 m and l on November 22, 2006 and again on May 18, 2007, and

WHEREAS, by letters dated January 8, 2007 and June 5, 2007, the Rockland County Department of Planning recommended approval of the Local Law with certain suggested modifications, all of which were incorporated into the final version of the Local Law, and

WHEREAS, the proposed Local Law was reviewed and discussed by the Town of Clarkstown Planning Board at their meetings of January 9, 2007, June 4, 2007, June 7, 2007 and June 13, 2007, and

WHEREAS, by letters dated January 11, 2007 and June 14, 2007, the Planning Board recommended approval of the proposed Local Law with certain proposed modifications, the majority of which have been incorporated into the final version of the Local Law, and

WHEREAS, on January 22, 2007, the Town Board received a Full Environmental Assessment Form and proposed Negative Declaration prepared by Robert Geneslaw pursuant to SEQRA, which the Town Board has reviewed and considered in making its determination herein, and

WHEREAS, by memoranda dated June 15, 2007, and July 23, 2007, Mr. Geneslaw confirmed that the revisions to the Local Law subsequent to the preparation of the EAF and proposed negative

declaration do not require any changes or modifications to said documents, and

WHEREAS, the Town has received several letters from various telecommunications carriers setting forth the specific objections to the Local Law, all of which have been considered by the Town Board and made a part of the record herein;

NOW, THEREFORE, be it

RESOLVED, that pursuant to NYCRR Part 617.11, the Town Board hereby adopts the Negative Declaration attached hereto as Exhibit "A," and hereby directs the Town Attorney to file and distribute in accordance with SEQRA, and be it

FURTHER RESOLVED, that Local Law No. - 2007 entitled:

"A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATIONS FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Alexander J. Gromack, Supervisor . . .	<i>aye</i>
John R. Maloney, Councilman	<i>aye</i>
Ralph F. Mandia, Councilman	<i>absent</i>
Shirley Lasker, Councilwoman	<i>aye</i>
Catherine M. Nowicki, Councilwoman . . .	<i>aye</i>

The Clerk of the Town of Clarkstown is hereby directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Dated: July 24, 2007

Local Law res adopt Wireless 251-na

AMM

RESOLUTION AUTHORIZING THE CONTINUATION OF A PUBLIC HEARING ON A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW TO AMEND CHAPTER 251 (WIRELESS COMMUNICATION FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKS TOWN"

WHEREAS, on January 23, 2006, a public hearing was held to consider proposed amendments to Town Code Chapter 251, the "Wireless Communications Facilities Law," and said hearing was continued to February 13, 2007, April 17, 2007, May 15, 2007, and June 19, 2007, and

WHEREAS, the proposed local law has been amended to reflect recommendations by interested parties, therefore, the Town Board hereby directs that the public hearing be continued on July 24, 2007;

NOW, THEREFORE, be it

RESOLVED, that the continuation of a public hearing, pursuant to §20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on July 24, 2007, at 8:00 p.m. or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing, and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk, and be it

Adopted 6/19/07

FURTHER RESOLVED, that the amended proposed local law is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Local Law of the Town of Clarkstown and to the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for report.

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Planning Consultant, Robert Geneslaw, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Dated: June 19, 2007

Local law continue ph on wireless-na

Amw/m